

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

---

IN RE:

Jennifer Schweizer,

Debtor(s).

Case No: 10-11738

(Chapter 13)

Hearing: May 26, 2011

Movant: CitiMortgage, Inc.

---

TRUSTEE'S LIMITED OBJECTION/RESPONSE TO NOTICE OF MOTION  
FOR AN ORDER GRANTING MOVANT RELIEF FROM STAY

---

Andrea E. Celli, Esq., Chapter 13 Standing Trustee (the "Trustee") states the following as and for her objection to the Motion by Movant pursuant to 11 U.S.C. §362(d):

1. On May 5, 2010, debtor filed a Chapter 13 petition for relief.
2. The debtor's proposed plan was confirmed by this Court on July 26, 2010.
3. The Trustee **does not object** to the relief sought under 11 U.S.C. §362:

\_\_\_\_\_ but reserves her right to object to an unsecured deficiency claim under 11 U.S.C. §502 of the United States Bankruptcy Code if the secured proof of claim was not timely filed in the first instance.

4. The Trustee **objects** to the relief sought as follows:

  **X**   The Trustee objects unless and until such time as an Assignment of Mortgage from ABN AMRO Mortgage Group, Inc to CitiMortgage, Inc. can be provided which would complete the chain of title to demonstrate that CitiMortgage, Inc. standing to bring the motion.

WHEREFORE, the Trustee respectfully requests that this Court deny creditor's request granting relief from the automatic stay in the real property or adjourn the matter to allow the creditor to cure the objection, and grant such other and further relief as the Court may deem just and proper.

Dated: May 2, 2011

Respectfully submitted,  
Andrea E. Celli, Esq.  
Chapter 13 Trustee  
7 Southwoods Boulevard  
Albany, New York 12211  
By: /s/ Bonnie S. Baker  
Bonnie S. Baker, Esq.

---

**CERTIFICATE OF MAILING**

---

**Dated:** May 2, 2011

**Signed:** /s/Beth E. Champion  
**Beth E. Champion**

**TO: By Electronic Service**

Barbara Dunleavy, Esq.  
51 East Bethpage Road  
Plainview, NY 11803

Paula M. Barbaruolo, Esq.  
12 Cornell Road  
Latham, NY 12110

U.S. Trustee's Office  
74 Chapel Street  
Albany, NY 12207

**By Regular Mail**

Jennifer Schweizer  
1033 Horvath Street  
Schenectady, NY 12303